IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

WP(C).No. 25003 of 2006(B)

PETITIONER:

PRADEEP.P.THEVANNOOR, DIRECTOR,
B.C.M.S. SCHOOL OF ENGINEERING TECHNOLOGY,
CORPORATE OFFICE, B.C.M.S.CAMPUS,
PRATHAP NAGAR, MUTTAM, ALUVA, COCHIN.

BY ADV. SRI.T.S.JOHN
SRI.M.S.RADHAKRISHNAN NAIR
SRI.SIJU RAJAN

RESPONDENTS:

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1. GOVERNMENT OF KERALA, REPRESENTED
BY HIGHER EDUCATION SECRETARY,
THIRUVANANTHAPURAM.

2. THE REGISTRAR, MAHATMA GANDHI
UNIVERSITY, ATHIRAMPUZHA, P.O.HILLS,
KOTTAYAM.

R1 BY G.P. SMT.SMITHA
R2 BY ADV. SRI.V.A.MUHAMMED, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF THE ORDER OF A.I.C.T.E. GRANTING APPROVAL TO START M.C.A. COURSE IN PETITIONER'S COLLEGE.

P2: TRUE COPY OF APPLICATION OF THE PETITIONER TO R2 FOR AFFILIATION WITH A COVERING LETTER.

P3: TRUE COPY OF THE COVERING LETTER DT.12.8.06.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.25003 of 2006

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Dated this the 9th day of March, 2007.

JUDGMENT

The petitioner commenced MCA course in his college pursuant to interim order issued by this court. The University has not granted affiliation only because Government has not approved. This court following the judgment of the Supreme Court in JAYA GOKUL EDUCATIONAL TRUST V. COMMISISONER AND SECRETARY TO GOVERNMENT (2002(2) KLT 267) upheld the petitioner's claim that no Government approval is required for granting affiliation by the University. Therefore, this W.P. is also disposed of directing the University to consider affiliation to petitioner's college irrespective of whether there is NOC or not.

C.N.RAMACHANDRAN NAIR
Judge

pms